

### REMARKS

The issues outstanding in the instant application are as follows:

- The drawings are objected to.
- Claims 1-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Applicant traverses all the outstanding objections and rejections and requests reconsideration and withdrawal thereof in light of the amendments and remarks contained herein.

#### Objection to the Drawings

Enclosed are Replacement Sheets 3/8 and 8/8, in which descriptive labels are added to the boxes in FIG. 3 and FIG. 13. Also enclosed are annotated sheets, showing the changes in green. The descriptive labels added to FIG. 3 are fully supported by page 8 line 30 through page 10 line 2 of the originally-filed specification. The descriptive labels added to FIG. 13 are fully supported by page 15 lines 9-27 of the originally-filed specification. No new matter has been added.

Applicant requests reconsideration and withdrawal of the objection to the drawings in light of Replacement Sheets 3/8 and 8/8. If the changes are not accepted by the Examiner, please feel free to call Applicant's representative at the telephone number listed below.

#### 35 U.S.C. § 112(2)

Claims 1-29 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention. The Examiner has hinted at amendments to the claims to clarify the claims and provide proper antecedent basis. The claims have been carefully reviewed and revised in accordance with the Examiner's suggestions. No amendment was made for the purpose of narrowing the scope of any claim.

Claims 1, 7, 9, 14, and 23 have been amended to replace the recurring clerical error of "the or each time slot" with the proper phrase "the at least one time slot." This change is supported by the Abstract as originally filed. No new matter has been added.

The dependencies of claims 4, 11, 17, and 26 have been amended, and the phrase "the plurality of tones" has been changed to "the plurality of separate tones," to provide proper antecedent basis for the phrase "the plurality of separate tones" as used in each of claims 4, 11, 17, and 26 as amended. No new matter has been added.

The dependency of claim 20 has been amended, and the phrase "the selecting device" has been changed to "the selecting means," to provide proper antecedent basis for the phrase "selecting means" as used in claim 20 as amended. No new matter has been added.

Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 112(2) in light of the amended claims.

#### Allowable Subject Matter

Applicant acknowledges the allowability of claims 1-29 once amended to overcome the rejection under 35 U.S.C. §112(2) set forth in the Office Action. Applicant has so amended these claims.

#### SUMMARY

The application is in condition for allowance and a favorable response at an early date is earnestly solicited. Should the Examiner have any questions, comments, or

suggestions, the Examiner is invited to contact Applicant's representative at the telephone number indicated below.

Please charge any fees associated herewith, including extension of time fees, to  
**Deposit Account 502117.**

Respectfully submitted,

Please send correspondence to:  
Motorola, Inc.  
Intellectual Property Dept. (SYC)  
600 North U.S. Highway 45, AS437  
Libertyville, IL 60048  
Customer Number: 20280

By: *Sylvia Chen* 11 OCT 2004  
Sylvia Chen Date  
Attorney for Applicant  
Registration No. 39,633  
Tel. No. (847) 523-1096  
Fax No. (847) 523-2350  
Email: Sylvia.Chen@motorola.com



3/8

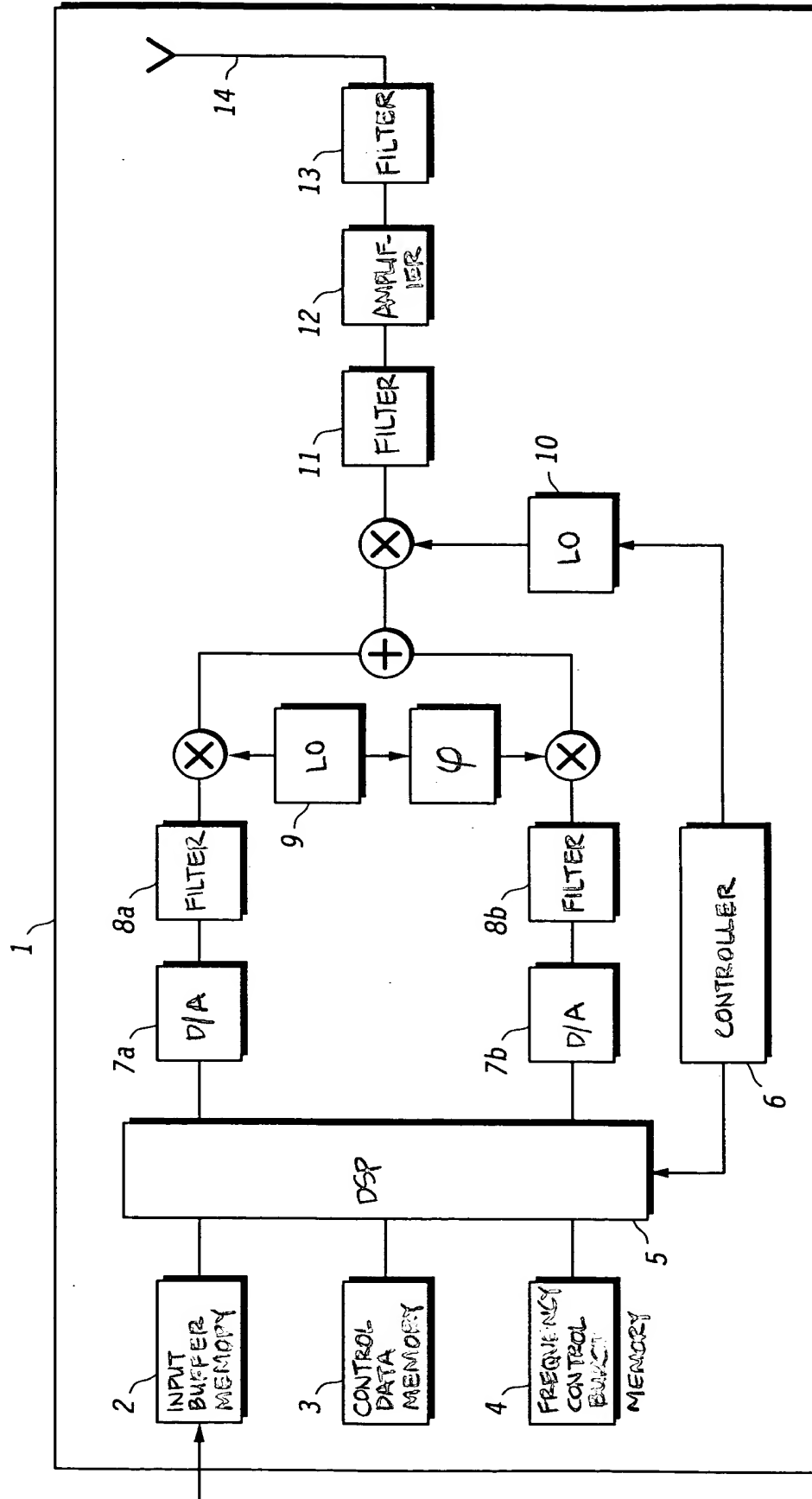


FIG. 3

8/8

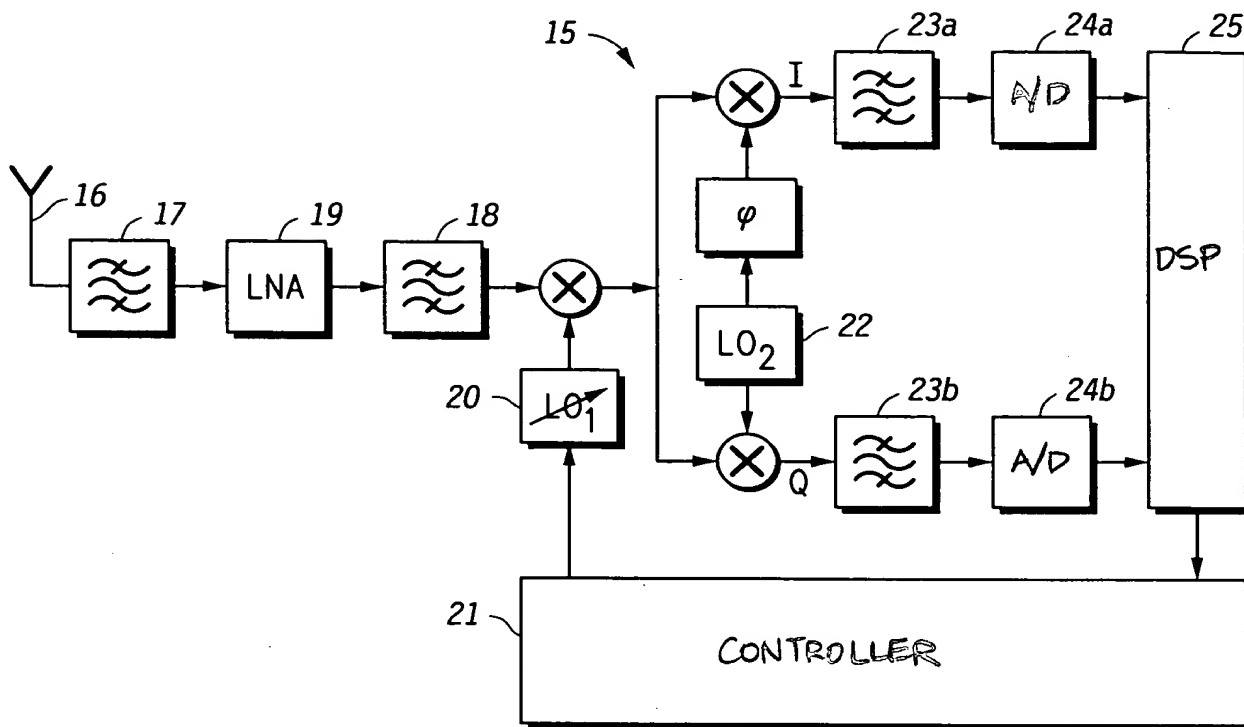


FIG.13

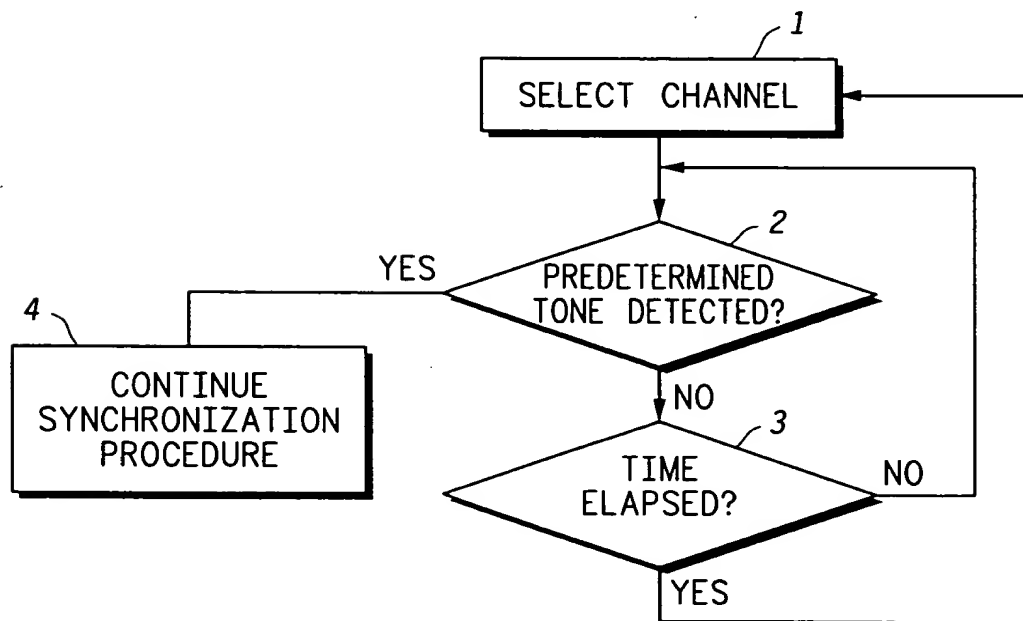


FIG.14